

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 12-md-2323-AB

MDL No. 2323

THIS DOCUMENT RELATES TO:

Plaintiffs' Master Administrative Long Form
Complaint and (if applicable)

Gay, et al. v. National Football League, et al.,
No. 2:12-cv-04573-AB

Kerry Parker, Plaintiff

**PETITION TO ESTABLISH
ATTORNEY'S LIEN**

NOW COMES Petitioner, Norman F. Hodgins, III of the Hodgins Law Group, LLC, pursuant to an executed retainer agreement, and states as follows:

1. The Petitioner is an attorney at law, and files this Petition to establish his lien for attorney's fees as set forth hereinafter.
2. On or about September 13, 2013, the Petitioner was retained and employed by the Plaintiff, Kerry Parker, pursuant to a contingency fee agreement for legal services, to pursue a claim for injuries and damages related thereto possibly caused by the National Football League and all other responsible parties' liability for former and/or retired NFL players' long-term brain injuries and other head injuries and damages associated with football-related concussions, head, and brain injuries.
3. The specifics of the contingency fee agreement are as follows: If no recovery (by settlement or trial) is obtained Client will not owe a legal fee or expenses. If the Petitioner

obtains a settlement or judgement for Client, Client will pay to the Petitioner thirty percent (30%) of the gross recovery. Gross recovery is the total recovery prior to the repayment of expenses.

4. When Petitioner entered into a contract with Plaintiff, Petitioner entered into the risk and expense of litigation before any settlement discussion had been held.

5. From the date the Petitioner was authorized to proceed on behalf of the Plaintiff, the Petitioner has actively and diligently investigated, prepared, and pursued Plaintiff's claims, and has taken all steps necessary to prosecute those claims, including, but not limited to, correspondence and communications with the client, the preparation and filing of complaints, drafting and providing client updates, analyzing Plaintiff's medical status and reviewing medical records, preparing for and conducting teleconferences, engaging the services of qualified Monetary Award Fund ("MAF") physician to exam the plaintiff, preparing and submitting a claim package to the NFL Concussion Settlement Program, and complying with every step of the Court's Case Management Orders.

6. The Plaintiff is currently represented by Petitioner and recently received a Notice of Monetary Award Claim Determination with a corresponding Award amount which is subject to a holdback for certain medical liens from non-governmental health insurer(s).

7. Upon information and belief, Petitioner believes that the holdback for certain medical liens filed by Plaintiff's private healthcare insurer(s) may interfere with the recovery of attorney's fees and expenses.

8. The Petitioner claims the right to have a lien for attorney's fees and expenses established and enforced upon any sums to be derived from any settlement or judgement obtained or to be obtained by Plaintiff in this action.

WHEREFORE, the Petitioner prays:

- A. That an attorney's lien be established;
- B. That the amount of the lien be determined;
- C. That the Court order that the Petitioner be entitled to enforce an attorney's lien against the proceeds to be derived from any settlement or judgement in this action;
- D. That the Defendants or the Defendants' insurer be prohibited from paying the Plaintiff's medical lienholders any sums of money until said lien has been satisfied;
- E. For such other and further relief as this Court deems just.

Dated: April 19, 2018

Respectfully submitted,

s/ Norman F. Hodgins, III
Norman F. Hodgins, III (LSBA No. 29909)
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2018, I caused the foregoing *Petition to Establish Attorney's Lien* to be electronically filed with the United States District Court for the Eastern District of Pennsylvania via the Court's Electronic Case Filing (ECF) system, which will provide electronic notice on all parties registered for CM/ECF in the litigation.

s/ Norman F. Hodgins, III

Norman F. Hodgins, III